

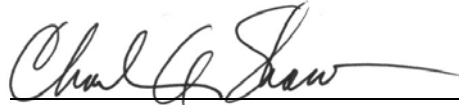
“A clear showing of necessity or of extraordinary circumstances of a compelling nature will usually be required before the court will order a reply. Even an allegation of new matter that goes beyond

the allegations of the responsive pleading is not a sufficient ground for a reply.” 2 Moore’s Federal Practice § 7.02[7][b] (footnotes omitted). “Thus, replies to affirmative defenses generally will not be permitted or required.” Id.

The Court did not order plaintiff to file a reply. As a result, the reply was not properly filed under Rule 7(a), Fed. R. Civ. P. In addition, the reply concerns affirmative defenses, and therefore is presumptively not permitted or required. The reply will be stricken from the record. Plaintiff may seek leave of Court to file a Reply, but she should keep in mind the restrictions concerning replies as set forth above.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s Reply is **stricken** from the record. [Doc. 26]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 11th day of August, 2010.